IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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STATE OF NEW MEXICO *ex rel.*
State Engineer,

    Plaintiff,

v.

RAMON ARAGON, *et al.*,

    Defendants.

RIO CHAMA STREAM SYSTEM

Village of Chama, Section 7

Subfile No.: CHCV-005-0002

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico

and Defendant(s):

DONALD L. GALLEGOS SR.
MARY J. GALLEGOS

concerning the Defendant's right to use the public waters of the Rio Chama Stream System,

as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.

2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Village of Chama, Section 7, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.

3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.

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4.   The right of the Defendant(s) to divert and use the public waters from the Rio Chama

Stream System, Village of Chama, Section 7, is set forth below:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer Files No(s)   04511, 03357 and 03092

Priority: Reserved for future determination by court order entered November 19, 2002.

Source of Water: Surface water of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:
        Ditch: CHAMA VALLEY DITCH
        Location X: 1,545,085   feet   **Y:**   2,149,000   feet
        New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Within the Tierra Amarilla Grant   0.5 acres

                              Total   0.5 acres

As shown on the 2003 Hydrographic Survey Map CHCV- 5.

Amount of Water: Reserved for future determination by court order entered November 19, 2002.

5.   Defendant(s) have no surface water rights in the Rio Chama Stream System, Village of

Chama, Section 7, other than those set forth in this order and those other orders entered by

this Court in this cause.

6.   Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Village of Chama, Section 7, except in strict accordance with the water rights described herein.

7.   The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.
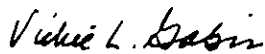
IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Village of Chama, Section 7, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Village of Chama, Section 7, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.

_____
UNITED STATES DISTRICT JUDGE

Recommended for approval:

_____
SPECIAL MASTER

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ACCEPTED: _MARY J. GALLEGOS_   ACCEPTED: _Donald L. Gallegos_
                 MARY J. GALLEGOS   DONALD L. GALLEGOS SR.

ADDRESS: _P.O. Box 303_   ADDRESS: _Box 303_
         Chama, N. M.   _Chama, N M_
         _87521_
DATE: _Aug 14 2003_   DATE: _Aug. 14, 2003_

Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General

_8.28.03_
Date

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